



# PUBLIC NOTICE

**Federal Communications Commission**  
**445 12th St., S.W.**  
**Washington, D.C. 20554**

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**DA 04-3804**  
**December 1, 2004**

**PERFECT COMMERCE, INC. SEEKS COMMISSION DETERMINATION OF  
"EXEMPT TELECOMMUNICATIONS COMPANY" STATUS  
UNDER THE PUBLIC UTILITY HOLDING COMPANY ACT**

**Comp. Pol. File No. ETC 04-07**  
**Pleading Cycle Established**

**Comments Due: December 16, 2004**

**Reply Comments Due: December 23, 2004**

On November 18, 2004, **Perfect Commerce, Inc.** (Perfect Commerce or Applicant), located at **850 NW Chipman Road, Suite 5050, Lee's Summit, MO 64063**, submitted an application requesting a determination by the Federal Communications Commission (FCC or Commission) that it is an "exempt telecommunications company" (ETC), pursuant to section 34(a)(1) of the Public Utility Holding Company Act of 1935 (PUHCA), 15 U.S.C. §§ 79 *et seq.*, as amended by section 103 of the Telecommunications Act of 1996, Pub. L. No. 104-104, and section 1.5002 of the Commission's rules, 47 C.F.R. § 1.5002.

The application indicates that Perfect Commerce will be engaged directly or indirectly through one or more affiliates exclusively in the business of providing: (a) telecommunications services; (b) information services; (c) other services or products subject to the jurisdiction of the Commission; and/or (d) products or services that are related or incidental to the provision of the products or services described in (a), (b), or (c). Specifically, Perfect Commerce states that, through its secure Internet-based exchange, it will provide supplier relationship management services that will enable its clients and their suppliers to buy and sell goods and services. Perfect Commerce also plans to offer market analyses and consulting services through its Internet exchange. The application indicates that in addition to, or in lieu of, these activities, Perfect Commerce may also engage in the future, directly, or indirectly through one or more affiliates, in such other business activities as are consistent with the definition of an ETC set forth in section 34(a)(1) of the PUHCA.

Perfect Commerce states that it plans to merge with Pantellos Corporation (Pantellos), an ETC, and that Pantellos will become a wholly-owned subsidiary and affiliate of Perfect Commerce. The application indicates that Perfect Commerce will also be owned by a number of registered holding companies, or subsidiaries of registered holding companies, including: AEP Investments, Inc.; Carolina Power & Light Company; CenterPoint Energy Houston Electric, LLC; Cinergy Telecommunications Holding Company, Inc.; Dominion Resources, Inc.; Entergy Procurement Exchange Holding Company; FirstEnergy Corp.; and Southern Telecom, Inc.

In accordance with section 1.5003, 47 C.F.R § 1.5003, a person applying in good faith for a Commission determination of ETC status is deemed to be an ETC from the date of receipt of the application, in this case **November 18, 2004**, until the date of Commission action pursuant to section 1.5004. In accordance with section 1.5004 of the Commission's rules, 47 C.F.R § 1.5004, if the Commission does not take action by issuing an order denying an ETC application within sixty (60) days of receipt of an application, in this case **January 17, 2005**, the application will be deemed granted as a matter of law. In accordance with section 1.5005, 47 C.F.R. § 1.5005, the Secretary of the Commission will notify the Securities and Exchange Commission (SEC) if the Applicant is determined to be an Exempt Telecommunications Company.

This proceeding is considered a "permit but disclose" proceeding for purposes of the Commission's *ex parte* rules, 47 C.F.R. §§ 1.1200 - 1.1216. Pursuant to section 1.5007 of the Commission's rules, 47 C.F.R. § 1.5007, interested parties may file comments on or before **December 16, 2004** and reply comments are due on or before **December 23, 2004**. Comments in this proceeding may not be filed using the Commission's Electronic Comment Filing System (ECFS). All filings concerning any of the matters referenced in this Public Notice should refer to **Comp. Pol. File No. ETC 04-07**. All comments should also be served on the Applicant at the address listed above.

Interested parties should file an original and four (4) copies of their comments with the Office of the Secretary, Federal Communications Commission, 445 12<sup>th</sup> St., S.W., Room TW-A325, Washington, D.C. 20554. In addition, parties should send one (1) copy to Best Copy and Printing, Inc., Portals II, 445 12<sup>th</sup> Street, S.W., Room CY-B402, Washington, D.C., 20554, telephone (202) 488-5300, facsimile (202) 488-5563, or via e-mail at [FCC@BCPIWEB.COM](mailto:FCC@BCPIWEB.COM), and two (2) copies to Carmell Weathers, Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, Portals II, 445 12<sup>th</sup> Street, S.W., Room 5-C327, Washington, D.C. 20554. Commenters are also requested to fax their comments to the FCC at (202) 418-1413, Attention: Carmell Weathers.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). The Commission's contractor, Natek, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, S.W., Washington, D.C. 20554. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

The application will be available for review and copying during regular business hours at the FCC Reference Center, Portals II, 445 12<sup>th</sup> Street, S.W., Room CY-A257, Washington, D.C. 20554, telephone (202) 418-0270. A copy of the application may also be purchased from the Commission's copy contractor, Best Copy and Printing, Inc., Portals II, 445 12<sup>th</sup> Street, S.W., Room CY-B402, Washington, D.C. 20554, telephone (202) 488-5300, facsimile (202) 488-5563, or via e-mail at [FCC@BCPIWEB.COM](mailto:FCC@BCPIWEB.COM).

For further information, contact Carmell Weathers, (202) 418-2325 (voice), [carmell.weathers@fcc.gov](mailto:carmell.weathers@fcc.gov), or Rodney McDonald, (202) 418-7513 (voice), [rodnev.mcdonald@fcc.gov](mailto:rodnev.mcdonald@fcc.gov), of the Competition Policy Division, Wireline Competition Bureau. The TTY number is (202) 418-0484.

**-FEDERAL COMMUNICATIONS COMMISSION-**